

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 9877

IN THE MATTER OF:

Served August 31, 2006

ANNIE GARDNER, Trading as GARDNER)	Case No. MP-2006-115
TRANSPORTATION, Suspension and)	
Investigation of Revocation of)	
Certificate No. 1084)	

This matter is before the Commission on respondent's response to Order No. 9750, served July 18, 2006.

Under the Compact, a WMATC carrier may not engage in transportation subject to the Compact if the carrier's certificate of authority is not "in force."¹ A certificate of authority is not valid unless the holder is in compliance with the Commission's insurance requirements.²

Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 1084 for a minimum of \$1.5 million in combined-single-limit liability coverage and maintain on file with the Commission at all times proof of coverage in the form of a WMATC Certificate of Insurance and Policy Endorsement (WMATC Insurance Endorsement) for each policy comprising the minimum.

Certificate No. 1084 was rendered invalid on July 18, 2006, when the \$1.5 million primary WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 9750 noted the automatic suspension of Certificate No. 1084 pursuant to Regulation No. 58-02, directed respondent to cease transporting passengers for hire under Certificate No. 1084, and gave respondent thirty days to replace the cancelled endorsement or face revocation of Certificate No. 1084. Respondent submitted a \$1.5 million primary WMATC Insurance Endorsement on August 1, 2006. The effective date of the new endorsement is August 4, 2006. This means that respondent was without insurance coverage for seventeen days, from July 18, 2006, through August 3, 2006.

Under Commission Rule No. 28, respondent is required to verify that it ceased transporting passengers for hire under Certificate No. 1084 as directed by Order No. 9750. We will give respondent thirty days to verify that it ceased operations as of July 18, 2006. Inasmuch as respondent's only tariff is for service rendered to clients of the District of Columbia Department of Health, Medical

¹ Compact, tit. II, art. XI, § 6(a).

² Compact, tit. II, art. XI, § 7(g).

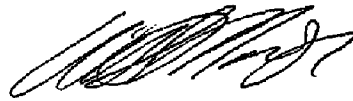
Assistance Administration (DC Medicaid), such proof shall include confirmation from DC Medicaid.

THEREFORE, IT IS ORDERED:

1. That within thirty days from the date of this order, respondent shall verify it ceased all operations in the Metropolitan District as of July 18, 2006.

2. That within thirty days from the date of this order, respondent shall submit confirmation from DC Medicaid that respondent ceased operations as of July 18, 2006.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:

A handwritten signature in black ink, appearing to read 'William S. Morrow, Jr.', is positioned above the printed name.

William S. Morrow, Jr.
Executive Director